

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE

PAGE OF PAGES

1 3

2. AMENDMENT/MODIFICATION NO.

PS25

3. EFFECTIVE DATE

AUG 9, 2010

4. REQUISITION/PURCHASE REQ. NO.

P20

5. PROJECT NO. (If applicable)

IMO10450

6. ISSUED BY

CODE 6PCA I

P20

7. ADMINISTERED BY (If other than Item 6)

CODE

See Block 6

GSA CONSTRUCTION ACQUISITION BRANCH I

1500 E BANNISTER ROAD

KANSAS CITY MO 64131-3088

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)

J.E. DUNN CONSTRUCTION COMPANY

DUNS: 008906844

1001 LOCUST STREET

Cage Code: 0LNN2

KANSAS CITY MO 641062639

(X)

9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

10A. MODIFICATION OF CONTRACT/ORDER NO.
GS06P08GZC0011

X

10B. DATED (SEE ITEM 13)

AUG 25, 2008

C.J. Cianciaruso (816)474-8600

CODE 00007257

FACILITY CODE

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment your desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

Modification Amount: \$0.00

See Schedule

Modification Obligated Amount: \$0.00

13. THIS ITEM ONLY APPLIES TO MODIFICATION OF CONTRACTS/ORDERS.
IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

CHECK ONE A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

X

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☒ is not, ☐ is required to sign this document and return _____ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

RECOVERY: Building #MO127ZZ, Richard Bolling Federal Building Phase IV Renovation (Project #IMO10450), 601 E. 12th Street, Kansas City, MO. Modification PS25 is issued to Firm Fix Price items already included in the GMP price.

Total value of contract increase or decrease \$0

This contract award/modification amount(s) is contingent upon the Cost Accounting Standards (CAS) audit findings.

Item Detail per attached (J.E.Dunn) bid proposal, accepted items identified circled.

GMP Summary Original GMP = \$73,299,000

GMP Increase #1 = \$10,852,055 New GMP = \$84,151,055

Less Bid Pkg #1 (PS07) = \$12,581,491 New GMP (PC10) = \$71,569,654

GMP increase #2 = \$3,650,803 New GMP = \$75,220,367

Less Material Firm Fixed Price (P17) = \$3,452,269

New GMP = \$71,768,098

Less Materials Firm Fixed Price (P-18) = \$1,059,719

New GMP = \$70,708,379

Less Materials Firm Fixed Price (PS-25) = \$70,708,379

New GMP Balance = \$0

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Georgann Butler

816-823-823-4918

15B. CONTRACTOR/OFFEROR

(b) (6)

15C. DATE SIGNED

8/6/10

16B. UNITED STATES OF AMERICA

(b) (6)

16C. DATE SIGNED

8-9-10

(Signature of person authorized to sign)

(Signature of Contracting Officer)

SCHEDULE Continued

| ITEM NO. | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE \$ | AMOUNT \$ |
|----------|--|----------|------|----------------|----------------|
| | Accounting and Appropriation Data: PN8F00909.2010.192X.06.PG03.P0644001.954.PGH12.VMO00104.MO0127ZZ 316. Cost Applied: \$0.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH13.VMO00054.MO0127ZZ 281. Cost Applied: \$-429,405.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH13.VMO00102.MO0127ZZ 310. Cost Applied: \$0.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH30.VMO00053.MO0127ZZ 280. Cost Applied: \$-500,000.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH30.VMO00076.MO0127ZZ 302. Cost Applied: \$929,405.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH80.VMO00052.MO0127ZZ 279. Cost Applied: \$0.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH80.VMO00105.MO0127ZZ 317. Cost Applied: \$0.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH82.VMO00108.MO0127ZZ 319. Cost Applied: \$0.00 | | | | |
| | PN8F00909.2010.192X.06.PG03.P0644001.954.PGH85.VMO00051.MO0127ZZ 278. Cost Applied: \$0.00 | | | | |
| 0045 | (New Line Item) Delete GMP for Base Bid Shell General Construction - W1278, Separate Prices 16-28-W1278, and Option 18- W1278 | 1.00 | EA | -45,766,265.23 | -45,766,265.23 |
| 0046 | (New Line Item) Delete GMP for Base Bid Shell Exterior-1279 | 1.00 | EA | -2,276,617.25 | -2,276,617.25 |
| 0047 | (New Line Item) Delete GMP for Base Bide Shell mechanical-W1280 | 1.00 | EA | -8,067,144.18 | -8,067,144.18 |
| 0048 | (New Line Item) Delete GMP for Base Bid Shell ElectricalW1281 | 1.00 | EA | -6,730,868.80 | -6,730,868.80 |
| 0049 | (New Line Item) Delete GMP for Base Bid ARRA Electrical-W1310 | 1.00 | EA | -3,128,998.09 | -3,128,998.09 |
| 0050 | (New Line Item) Delete GMP for Base Bid ARRA Advanced Metering- W1316 | 1.00 | EA | -68,181.82 | -68,181.82 |

SCHEDULE Continued

| ITEM NO. | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE \$ | AMOUNT \$ |
|----------|--|----------|------|---------------|---------------|
| 0051 | (New Line Item) Delete GMP for Base Bid ARRA Site Improvements-W1317 | 1.00 | EA | -1,772,647.27 | -1,772,647.27 |
| 0052 | (New Line Item) Delete Base Bid GMP ARRA Green Roof-W1319 | 1.00 | EA | -2,897,656.36 | -2,897,656.36 |
| 0053 | (New Line Item) Firm Fix Price GMP for Shell General Construction | 1.00 | EA | 45,766,265.23 | 45,766,265.23 |
| 0054 | (New Line Item) Firm Fix Price of GMP for Shell Exterior Construction | 1.00 | EA | 2,276,617.25 | 2,276,617.25 |
| 0055 | (New Line Item) Firm Fix Price GMP for Shell Mechanical Construction | 1.00 | EA | 7,567,144.18 | 7,567,144.18 |
| 0056 | (New Line Item) Firm Fix Price GMP for Shell Electrical Construction | 1.00 | EA | 6,301,463.80 | 6,301,463.80 |
| 0057 | (New Line Item) Firm Fix Price GMP for ARRA Electrical Construction | 1.00 | EA | 3,128,998.09 | 3,128,998.09 |
| 0058 | (New Line Item) Firm Fix Price GMP for Advanced Metering | 1.00 | EA | 68,181.82 | 68,181.82 |
| 0059 | (New Line Item) Firm Fix Price GMP for Site Improvement Construction | 1.00 | EA | 1,772,647.27 | 1,772,647.27 |
| 0060 | (New Line Item) Firm Fix Price GMP for Green Roof Construction | 1.00 | EA | 2,897,656.36 | 2,897,656.36 |
| 0061 | (New Line Item) Firm Fix Price GMP for HHS Joint Use Construction | 1.00 | EA | 929,405.00 | 929,405.00 |

CONTINUATION SHEET

CONTRACT NO.

GS-06P-08-GZC-0011

| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|----------------|--|--------|-----------|
| | | DEDUCT | ADD |
| | <p><u>General</u></p> <p>The Contractor is to review this document in comparison to the contract documents. Itemize all additions in the appropriate line below. All costs shall include all CMc and subcontractor overhead, profit and commission. Provide a thorough breakdown of costs for review.</p> <p>PROJECT SUMMARY - This project will be limited to Floors 17, 4, 3, 2, 1, Ground and Basement with mechanical work in the Annex; and shell and tenant construction at the stair towers on Floors 3 through Basement. The building will be occupied during construction, however Floor 3 will be initially vacant (following completion of the Phase III project anticipated approximately October 2010). Limited above ceiling work on the 16th floor generally related to 17th floor plumbing is also required. Briefly, and without force and affect upon contract documents, work of this contract can be summarized as follows:</p> <p>BASE BID: Generally consists of general demolition, and asbestos and lead paint abatement; reconfiguration of existing shaft openings; seismic bracing of perimeter shaft walls; complete renovation of lobbies and restrooms including reconfiguration of restrooms; wood paneling, terrazzo, drywall partitions, paint and plaster, new ceramic tile walls and floors; new ceilings, lighting and above ceiling HVAC throughout the floor; electrical lighting and power distribution; stairway egress improvements; new building signage/graphics; and building automation system work.</p> <p>SHELL WORK, CORE WORK, SITE WORK, and LEED:</p> | | |
| A. | Separate Price Item 1: Tenant Finish - HHS/CMS - 3rd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 2,530,320 |
| B. | Separate Price Item 2: Tenant Finish - HHS/ACF - 3rd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 964,358 |
| C. | Separate Price Item 3: Tenant Finish - HHS/OCR - 3rd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 327,626 |
| D. | Separate Price Item 4: Tenant Finish - HHS/HRSA - 2nd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 319,711 |
| E. | Separate Price Item 5: Tenant Finish - HHS/OITO - 3rd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 498,354 |
| F. | Separate Price Item 6: Tenant Finish - HHS/NTEU - 2nd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 44,218 |
| G. | Separate Price Item 7: Tenant Finish - NOAA - 2nd Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 2,518,410 |
| H. | Separate Price Item 8: Tenant Finish - OPM - 1st Floor | | 727,970 |

212

MS
7/08/10

62,949,317

~~63,486,549~~

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COVERING CONSTRUCTION CONTRACT MODIFICATION

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CONTRACT NO.

GS-06P-08-GZC-0011

CONTINUATION SHEET

| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|----------------|--|--------|---------------|
| | | DEDUCT | ADD |
| | Finish" separate price involves the single tenant work as indicated. | | |
| I. | Separate Price Item 9 : Tenant Finish - RRB - Ground Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 182,382 |
| J. | Separate Price Item 10 : Tenant Finish - USACE / EOC - 4th, 2nd, 1st, Ground Floor and Basement. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 2,498,614 |
| K. | Separate Price Item 11 : Tenant Finish - SSA - 17th, 2nd, Ground Floor and Basement. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 2,237,539 |
| L. | Separate Price Item 12 : Tenant Finish - DAPS - Ground Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 258,388 |
| M. | Separate Price Item 13 : Tenant Finish - FAS - 1st and Ground Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 447,785 |
| N. | Separate Price Item 14 : Tenant Finish - DHHS - Basement Floor. This "Tenant Finish" separate price involves the single tenant work as indicated. | | 22,834 |
| O. | Separate Price Item 15 : PBS - Field Office. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 220,458 |
| P. | Separate Price Item 16 : PBS - storage. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 17,284 |
| Q. | Separate Price Item 17 : Building Use - Custodial. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 154,294 LLT |
| R. | Separate Price Item 18 : Building Use - Mechanical Shop / Storage. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 40,375 LLT |
| S. | Separate Price Item 19 : Joint Use - Café. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 3,467,194 LLT |
| T. | Separate Price Item 20 : Joint Use - Café Conference. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 42,368 LLT |
| U. | Separate Price Item 21 : Joint Use - Conference / Ante Room. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 235,747 LLT |
| V. | Separate Price Item 22 : Joint Use - Recycle. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 25,080 LLT |
| W. | Separate Price Item 23 : Joint Use - C-Store Storage. This "Shell Agency Finish" separate price involves the single agency work as indicated. | LLT | 21,115 LLT |

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CONTRACT NO.

GS-06P-08-GZC-0011

CONTINUATION SHEET

| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|---|--|--------|-------------------------------------|
| | | DEDUCT | ADD |
| X. | Separate Price Item 24 : Joint Use - HHS Fitness Center. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 916,171 929,405 |
| Y. | Separate Price Item 25 : Joint Use - HHS CASU Office. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 326,211 |
| Z. | Separate Price Item 26 : Joint Use - HHS CASU Maintenance. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 11,295 |
| AA. | Separate Price Item 27 : Joint Use -Child Development Center. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 199,286 |
| BB. | Separate Price Item 28 : Joint Use -Large Conference Room. This "Shell Agency Finish" separate price involves the single agency work as indicated. | | 68,261 |
| TOTAL BASE BID | | | 82,810,198 82,286,200 |
| <p>Unit Prices: A unit price provides an amount proposed by the contractor and stated on the Bid Form as a price per unit of measurement for materials or services, that will be added to or deducted from the Contract Price by change order if the estimated quantity of the corresponding work required by the Contract Documents is increased or decreased. The Contractor is only to list the unit price in the "Add" column of this form. The Government will do the multiplication.</p> | | | |
| 1. | Unit Price No. 1 -- Unsatisfactory Earth Excavation Description: Volume of earth excavation required to remove unsatisfactory subgrade or soils materials defined in the drawings exceeding horizontal limits and/or below subgrade elevations indicated. | | 20 / cu yd |

COVERING CONSTRUCTION CONTRACT MODIFICATION

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GS-06P-08-GZC-0011

CONTINUATION SHEET

| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|--|---|--------|-------------|
| | | DEDUCT | ADD |
| 2. | Unit Price No. 2 -- Rock Excavation Description: Volume of rock excavation exceeding horizontal limits and/or below subgrade elevations indicated. Multiplier: 25 cu yds | | 72 / cu yd |
| 3. | Unit Price No. 3 -- Satisfactory Soil Materials and Placement Description: Volume of satisfactory soil materials and placement required to replace any unsatisfactory materials removed, or as a request for new work, beyond that which is described as part of the Work. Multiplier: 100 cu yds | | 13 / cu yd |
| 4. | Unit Price No. 4 -- Reinforcing Steel for Footings Description: Additional steel reinforcement in accordance with the drawings; fabricated and placed in footings. Multiplier: 20 tons | | 3,392 / ton |
| 5. | Unit Price No. 5 -- Concrete for Security Walls and Footings Description: Cost to adjust footing depth to provide required bearing condition, as determined by the Engineer, including formwork, concrete materials, and labor to place same. Multiplier: 25 cu yds | | 731 / cu yd |
| 6. | Unit Price No. 6 -- Concrete for General Site Work Description: Cost including concrete materials, and labor to place same. Multiplier: 10 cu yds | | 561 / cu yd |
| BASE BID OPTIONS: Options are a unilateral right in the contract by which, for a specified time, the Government may elect to purchase additional products, materials, equipment, systems or installation methods described in the contract documents, and as follows: | | | |
| 1. | Option 1: Public Building Service Field Office: This "Shell" Option involves the single tenant work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 1). | | 310,311 |
| 2. | Option 2: Joint Use Café Conference Room: This "Shell" Option involves the single tenant work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 2). | LLT | 329,193 LLT |
| 3. | Option 3: Joint Use Large Conference Room: This "Shell" Option involves the single tenant work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 3). | LLT | 299,497 LLT |
| 4. | Option 4: This Option NOT USED. | | \$0.00 |
| | OPTION 5: Joint Use Child Care Entrance | LLT | 73,254 LLT |

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CONTRACT NO.

GS-06P-08-GZC-0011

CONTINUATION SHEET

| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|-------------------------|--|--------|-------------|
| | | DEDUCT | ADD |
| | single tenant work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 5). | | |
| 6. | Option 6: This Option NOT USED. | | \$0.00 |
| 7. | Option 7: This Option NOT USED. | | \$0.00 |
| 8. | Option 8: First Floor Signage: This "Shell" Option involves the work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 8). | LLT | 404,252 LLT |
| 9. | Option 9: Escalator Back Wall/Cladding: This "Shell" Option involves the work as indicated in the architectural, electrical, structural and hazardous material drawings and specifications labeled (OPT. 9). | LLT | 526,228 LLT |
| 10. | Option 10: Sloped Ceilings in Annex: This "Shell" Option involves the single tenant work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 10). | LLT | 150,521 LLT |
| 11. | Option 11: Peter Pepper Recycling Containers: This "Shell" Option involves the work as indicated in the architectural drawings and specifications labeled (OPT. 11). | LLT | 126,033 LLT |
| 12. | Option 12: Dock Toilets: This "Shell" Option involves the work as indicated in the architectural, mechanical, electrical, and plumbing, structural and hazardous material drawings and specifications labeled (OPT. 12). | LLT | 27,455 LLT |
| 13. | Option 13: Underground Cistern: This option includes the construction of an underground structure for storm water collection on site below the site drainage channel. Option 13 involves civil, landscaping, architectural, mechanical, electrical and plumbing, structural, hazardous material drawings and specifications labeled (OPT. 13). | LLT | 211,365 LLT |
| 14. | Option 14: Green Roof Improvements: This option includes the removal and replacement of existing roof materials on the annex portion of the building with new green roof construction. Option 14 involves architectural drawings and specifications labeled (OPT. 14). | | 416,033 |
| 15. | Option 15: This Option NOT USED. | | \$0.00 |
| 16. | Option 16: Flush Valves/Low Flow Fixtures: This "Shell" Option involves mechanical and plumbing work to upgrade plumbing fixtures for water conservation. Option 16 involves mechanical and plumbing drawings and specifications labeled (OPT. 16). | LLT | 251,276 LLT |
| OPTIONS ACCEPTED: _____ | | | |

| | | | |
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| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|----------------|--|--------|-----|
| | | DEDUCT | ADD |
| | | | |
| | | | |
| | | | |
| | TOTAL, OPTIONS ACCEPTED | | |
| | <u>SUMMARY :</u> | | |
| | BASE BID | | |
| | OPTIONS | | |
| | <p>Eventualities Allowance: This item consists of a contingency allowance, to be managed by the CMc, and used as directed by the Government to fund project eventualities as they arise.</p> <p>(Note : This amount supplied by the Government.)</p> | | |
| | TOTAL | | |

COVERING CONSTRUCTION CONTRACT MODIFICATION

| | | |
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CONTRACT NO.

GS-06P-08-GZC-0011

CONTINUATION SHEET

| ITEM NUMBER | DESCRIPTION OF WORK | AMOUNT | |
|----------------|--|--------|-----|
| | | DEDUCT | ADD |
| | <p><i>You are not authorized to start work until notice to proceed has reached you.</i></p> <p><i>You are required to return the enclosed bonds within 14 days and your proof of insurance as required by your insurance company.</i></p> <p><i>Submit a list of all subcontractors, along with the addresses and tax ID numbers, who will be performing work at the project site under this contract. Complete and submit Standard Form 1413 (copy attached) for each subcontractor. These should be supplemented if any additional subcontractors are added in the future or if you elect to change a subcontractor. Please note the requirements for submission of current certification of insurance for subcontractors at least 5 days before entry on the Government installation in the clause "Insurance -- Work on a Government Installation", Construction Contract Clauses (Fixed Price).</i></p> | | |

FINDINGS AND DETERMINATION

Phase IV CMc Services
Richard Bolling Federal Building
601 East 12th Street
Kansas City, MO
August 4, 2010

Findings

Phase IV award fee CMc services were awarded to J.E. Dunn Construction under Contract GS06P08GZC0011 on August 25, 2008. Contract included item number 0001 firm fixed price Pre-Construction Phase Services (Base Contract) and item number 0002 Construction Phase Service (Option No. One (1) Shell and TI) and included a Guaranteed Maximum Price (Option 1) of \$73,299,000.

The original solicitation (GS06P08GZC003) for Contract GS06P08GZC0011 included the two items listed above. The base and the option were synopsisized and published. One CMc (Construction Manager as Constructor) firm (the same contractor awarded Phase I, II, and III) responded to the full and open procurement. It was determined the reasons for receiving only one offeror was due to the company being the incumbent for the previous three phases and with that experience no other contractors would submit offers. The firm was determined to be highly qualified and was the firm selected to provide the services. Each price (base and option) was evaluated at the time of award of the base contract and the firm was determined to be responsible.

The contract did not include Federal Acquisition Regulation (FAR) clause number 52.217-5 Evaluation of Options; but, it was incorporated into the contract by the modification exercising Option One based on the fact that the intent was always and actually accomplished to evaluate the option with the pre-construction services price and then exercise the construction option at a later date. This intent was shown by the inclusion of the solicitation/contract clause under Section 3 – Contract Administration, paragraph 1.3.1 General of Construction Manager as Constructor (CMc) Guaranteed Maximum Price (GMP) with Construction Contingency Allowance (JAN 2008) and paragraph 1.3.13 Options. See other source selection and award documentation in the contract file.

Total funding required for Phase IV equals \$438,497.00 for pre-construction phase services plus construction phase service (option No. one (1) for shell and TI with an original guaranteed maximum price of \$73,299,000. GMP was increased from \$73,299,000 to \$84,151,055 (an increase of \$10,852,055) to cover additional renovations under American Recovery and Readjustment Act (ARRA) and high performance green building arenas. Bid package number 1 was a firm fixed price (FFP) and this amount is deducted from the Option 1 GMP amount of \$84,151,055 (\$84,151,055 less \$12,581,491 equals \$71,569,654). Funding to exercise Option One bid package number 1 was determined to be available and obligated for the exercise of that option. The GMP was then increased to cover costs due to a more detailed scope of work (\$71,569,654 plus \$3,650,803 equals \$75,220,367). The new GMP amount is \$75,220,367. Since that time two (2) additional firm fixed price modifications have been processed for the purchase of materials (\$3,452,269 plus \$1,059,719 equals \$4,511,988) covered under bid package number 2. A new GMP amount is calculated by \$75,220,367 less \$4,511,988 which equals a new GMP amount of \$70,708,379. Bid package number 2 was for work 100% designed and not included in bid package number 1. Majority of bid package 2 work will convert from GMP to a firm fixed price (FFP).

A total of twelve (12) options were listed on the bid sheet and after negotiations a total of eleven (11) options will be exercised (see attached spreadsheet dated 8-4-10 and PNM) and awarded as a firm fixed price modification. All but one option is covered under ARRA and one is covered under BA55 funds.

The need for the services covered by this option is present due to the prospectus amendment authorization received on May 30, 2007.

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Findings and Determination

PS23 thru PS25 (Exercise of Options, Bid package #2)

GS06P08GZC0011

The exercise of these options best fulfills the need presented by the prospectus amendment due to the fact that price and services had previously been agreed upon and the pricing was determined to be fair and reasonable. The contractor provided the same or similar services for Phases I, II and the current Phase III as well as Phase IV pre-construction phase services. This option is an extension of the current Phase IV services, therefore the contractor is familiar with the services required and no advantage would be gained by re-soliciting.

Determination

It is determined in accordance with FAR 17.206 that Modification XXXX for the exercise of Bid Package No. 2 options for Phase IV Renovation of the Bolling Federal Building under Contract GS06P08GZC0011 is in the best interest of the Government based upon the need for continuity in the design phase of this project. Additional costs would be incurred by bringing another prime construction firm into the project at this time and the integrity of the construction of the building as a whole would be impacted. The pricing received for this option has been determined fair and reasonable and it is unlikely that a better price would be obtained by proceeding with a new procurement.

(b) (6)

Georgann Butler
Contracting Officer

8-5-10

Date

PROJECT NUMBER IMO10450

Richard Bolling Federal Building Major R&A Phase IV

MEMO OF NEGOTIATIONS

for conversion of

GUARANTEED MAXIMUM PRICE (GMP) for BID PACKAGE NO. 2 at 65% COMPLETE
to

FIRM FIXED PRICE (FFP) for BID PACKAGE NO. 2 (BP2) at 100% COMPLETE

Proposal Request No. PR-20, Bid Package No. 2

Date 7-22-10

J. E. DUNN CONSTRUCTION COMPANY (JEDunn)

1001 Locust, Kansas City Mo 64106

CONSTRUCTION MANAGER AS CONSTRUCTOR (CMc)

Contract Number GS 06P 08 GZC 0011

Contract Award Date August 25, 2008

HISTORY OF GMP ESTABLISHMENT AT 65% COMPLETE AND ADJUSTMENT
LEADING TO FFP AT 100% COMPLETE

The GMP for RBFB Phase IV BP2 was established with the March 15, 2010 modification PC10 for PR-11 to JEDunn's contract GS 06P 08 GZC 0011. The amount of the GMP was specific to ARRA portions and totaled \$75,220,367 based upon 65% complete construction documents prepared by project architect / engineer Helix Architecture + Design (HELIX). The total GMP for BP2 at 65% complete included two parts. One part was referred to as Base Bid. The amount of the Base Bid was \$74,670,367. The Base Bid work was described as Shell, Core, LEED and Site work. Base Bid included the following:

- 1) Shell general construction GMP at \$45,631,798.23.
- 2) Shell exterior GMP at \$2,276,617.25.
- 3) Shell mechanical GMP at \$8,730,868.09.
- 4) Shell electrical GMP at \$6,730,868.80.
- 5) ARRA added electrical GMP at \$3,128,998.09.
- 6) ARRA added advanced metering GMP at \$68,181.82.
- 7) ARRA added site improvements GMP at \$1,772,647.27.
- 8) ARRA added green roof GMP at \$2,897,656.36.
- 9) Separate prices 16 thru 28 for an aggregate total GMP of \$4,096,455.

The second part was referred to Option 18 or 17th floor windows for a total GMP of \$550,000.

The derivation of the funding for total amount for the GMP was summarized at the award of the GMP for BP2, as follows:

- Original GMP of \$73,299,000
- GMP increase #1 of \$10,852,055

- NEW Adjusted GMP of \$84,151,055
- Award of Bid Package No. 1 at \$12,581,491
- NEW Adjusted GMP of \$71,569,564
- GMP increase #2 of \$3,650,803
- NEW Adjusted GMP of \$75,220,367

See attached copy of PC10.

The GMP represented price the ARRA only portion of the total scope envisioned for BP2. The other portion of BP2 included Tenant Improvement (TI) as described in Separate Prices 1 through 14 that are categorized as Non-ARRA and outside of ARRA funding because of scope not specific to High Performance Green Building (HPGB) criteria and risk with the ability to complete the work to ARRA's constraints with accelerated schedule.

Total ECCA budget for both ARRA and non-ARRA portions is now \$106,682,432, based upon the following:

- \$73,299,000 at original budget from prospectus.
- Added \$16,000,000 from prior phase carryover.
- Added \$4,000,000 from prior phase carryover but at risk of being lost and considered as funding for optional scope.
- Added \$12,833,420 for added ARRA scope brought to project when project changed from BA55 prospectus to BA03 ARRA and scope expanded to include work with transformers.
- Added \$550,000 for added ARRA scope brought to project when scope expanded to include window replacement at 17th Floor.

PROGRESS WITH CONVERSION OF PORTIONS OF GMP TO FFP PRIOR TO 100% COMPLETE

In the months following the award of the BP2 GMP at 65% complete, the GMP for the ARRA portion has been adjusted with the conversion of portions to FFP as follows:

- Modification PS19 for PR-17 reduced the GMP on 5/27/2010 by \$3,452,269. PR-17 was for early buy-out of materials and abatement. As a result the NEW Adjusted GMP for ARRA portions is \$71,768,098.

See attached copy of PS19.

- Modification PS22 for PR-18 reduced the GMP on 7/13/2010 by \$1,059,719. PR-18 was for early buy-out of scope including café and childcare blast windows. As a result, the NEW Adjusted GMP for ARRA portions is \$70,708,379.

See attached copy of PS22

CONVERSION OF REMAINING PORTIONS OF GMP TO FFP AT 100% COMPLETE

JEDunn prepared a June 23, 2010 proposal for BP2 based upon 100% Complete Construction Documents dated May 19, 2010 and adjustments reflected in Amendment No 1 dated June 9, 2010. The proposal is to complete the work as described in PR-20 dated May 21, 2010, includes remaining portions of the GMP that are ARRA specific and other portions that are non-ARRA. Specifically not included in the June 23, 2010 proposal is work with Bid Package No. 1, PR-17, PR-18, the CMc's award fee incentive, owner contingency, and art-in-architecture.

See attached copy of JEDunn's June 23, 2010 proposal for PR20

SCOPE ADJUSTMENTS REFLECTED IN 100% COMPLETE CONSTRUCTION DOCUMENTS

Based upon 65% pricing and optimism regarding the potential ability to accomplish greater scope, options a part of the 65% complete construction documents were adjusted during an April 22, 2010 meeting with JEDunn, Helix Architecture +HELIX, project CMA Gastinger Walker Harden Associates (GWhA) and GSA.

Adjustments included options at 65% complete that were moved to base bid for 100% complete, specifically: Option 4 for Joint Use Conference and Ante Room at \$203,602, Option 6 for Fitness Center at \$672, 444, Option 7 for Dishwashing Equipment at \$494,179, Option 15 for Light Fixture substitution at CREDIT of \$250,000 and less than possible potential credit value of \$317,096 as estimated with the 65% pricing but likely undermined as changes occur with assimilation into 100% complete documents, and Option 18 for 17th Floor Windows at \$550,000.

Adjustments included options at 65% complete that were deleted, specifically, Options 16 and 17, and Options 19 to 23. Deleted options were for HPGB ADDED scope a part of the R6 request of central office for ADDED ARRA funding. ADDED ARRA funding, other than the funding for Option 18, has not and will not be provided.

Adjustments included option at 65% complete that was renumbered for 100% complete, specifically, Option 24 for Flush Valves / Low Flow Fixtures at \$241,000 will be repositioned and renumber as Option 16 for 100% pricing.

See attached copy of GWhA's April 22, 2010 Meeting Notes.

CURRENT STATUS OF WORK WITH PHASE IV

JEDunn's work with Phase IV CMc pre-construction phase services and construction phase services with Bid Package No 1, PR-17 and PR-18 proceeds, is considered exemplary, and does not involve issues that would either hinder or cause concern with the potential award of the FFP of remaining work.

JEDunn's proposal is supported with price detail and other documentation regarding contract clauses, CAS disclosure statements, apprenticeship program, sub-contractor selection, preferred subcontractor pricing, proposal request log, and sole source material justification.

A summary change order / proposal request log is used by JEDunn to track, communicate and report progress and status of proposal requests, change orders and lump sum firm fixed price settlement of the GMP. See attached copy of JEDunn's July 13, 2010 proposal log.

PRICES AT 100% COMPLETE

Acceptance of JEDunn's price for BP2 at 100% complete construction documents will if determined fair and reasonable, be based upon adequate price comparison provided from two IGEs, with one IGE prepared by HELIX and the second prepared by Rider Levett Bucknall (RLB,) or the PBS Central Office independent cost analysis consultant. Both IGEs evolved from similar, earlier efforts preparing IGEs at 65% complete construction documents, from analysis and reconciliation of JEDunn's proposal for the GMP at 65% complete, and from the ongoing refinement that came with completion of drawings and specifications.

Total Prices for Phase IV include BP1, BP2 Base Bid, BP2 Separate Prices, BP2 Options, BP2 Pre-Purchased Materials and LEED are competitive, based upon scope at 100% complete construction documents for BP2. Phase IV total prices from JEDunn's proposal and the two IGEs, are within 3% of each other, compare favorably with and are below the GSA "design to" ECCA budget of \$106,682,432, and can be summarized as follows:

| | 07/06/2010 RLB | 06/21/2010 HELIX | 06/23/2010 JEDunn |
|---------------------------------|----------------------|---------------------|----------------------|
| TOTAL PRICE for PHASE IV | \$104,516,240 | \$99,816,893 | \$102,329,221 |

A GSA Variance Report at 100% complete was prepared by Kevin Livingston and Allen Faught, R6 PBS Cost Estimators. The RBFB PHASE IV 100% ESTIMATE VARIANCE 7/6/2010 evolved from the GSA Variance Report that was prepared at 65% complete. The GSA Variance Report at 100% complete compared and contrasted JEDunn's proposal with both IGEs. The GSA Variance Report included price for IGEs and proposal, and differences in Price between the two IGEs and the proposal using both amounts and percentages to reflect the ratio between the IGE prices and the proposal's price. The GSA Variance Report at 100% complete described the scope with BASE (SHELL and Separate Prices #1 through #28 for TI, PBS, Building Use, and Joint Use) and OPTIONS (#1 through #16.) The GSA Variance Report at 100% also included prices for pre-purchased material, LEED premium, and Bid Package No. 1

See attached copy of the GSA Variance Report for pricing at 100% complete.

Pricing detail for JEDunn's proposal and both of the IGEs is summarized from the RBFB PHASE IV 100% ESTIMATE VARIANCE 7/6/2010, as follows:

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| RBFB Phase IV Bid Package No 2 at 100% Complete Prices from 7/6/10 GSA Variance Report | RLB | HELIX | JEDunn |
|---|--------------|--------------|---------------|
| SHELL WORK Sub-Total for SHELL PRICE | \$68,137,543 | \$59,200,799 | \$62,746,395 |
| SEPARATE PRICES | | | |
| Separate Price # 1 TI HHS-CMS | \$2,314,785 | \$2,542,095 | \$2,530,320 |
| Separate Price # 2 TI HHS-ACF | \$784,370 | \$934,151 | \$964,358 |
| Separate Price # 3 TI HHS-OCR | \$315,136 | \$289,909 | \$327,626 |
| Separate Price # 4 TI HHS-HRSA | \$285,138 | \$239,840 | \$319,711 |
| Separate Price # 5 TI HHS-OITO | \$392,814 | \$446,610 | \$498,354 |
| Separate Price # 6 TI HHS-NTEU | \$31,273 | \$29,548 | \$44,218 |
| Separate Price # 7 TI NOAA place holder for FPS | \$2,518,410 | \$2,518,410 | \$2,518,410 |
| Separate Price # 8 TI OPM | \$582,354 | \$558,492 | \$727,970 |
| Separate Price # 9 TI RRB | \$154,607 | \$134,399 | \$182,382 |
| Separate Price # 10 TI USACE | \$2,074,906 | \$2,320,457 | \$2,498,614 |
| Separate Price # 11 TI SSA | \$2,150,638 | \$1,805,264 | \$2,237,539 |
| Separate Price # 12 TI DAPS | \$246,898 | \$197,059 | \$258,388 |
| Separate Price # 13 TI FAS | \$398,075 | \$333,769 | \$447,785 |
| Separate Price # 14 TIDHHS | \$16,154 | \$4,252 | \$22,834 |
| Separate Price # 15 PBS-Field Office | \$200,508 | \$159,114 | \$220,458 |
| Separate Price # 16 PBS-Storage | \$15,605 | \$5,886 | \$17,284 |
| Separate Price # 17 Building Use -- Custodial | \$224,617 | \$136,162 | \$154,294 |
| Separate Price # 18 Building Use -- Shop / Storage | \$39,952 | \$90,595 | \$40,375 |
| Separate Price # 19 Joint Use -- Café | \$3,513,316 | \$2,810,070 | \$3,467,194 |
| Separate Price # 20 Joint Use -- Café Conference | \$39,903 | \$44,381 | \$42,368 |
| Separate Price # 21 Joint Use -- Conference/Ante | \$229,350 | \$365,842 | \$235,747 |
| Separate Price # 22 Joint Use -- Recycle | \$23,963 | \$59,527 | \$25,080 |
| Separate Price # 23 Joint Use -- C-Store Storage | \$19,122 | \$12,504 | \$21,115 |
| Separate Price # 24 Joint Use -- HHS-Fitness Center | \$1,062,857 | \$965,579 | \$916,171 |
| Separate Price # 25 Joint Use -- HHS-CASU Office | \$369,237 | \$308,113 | \$326,211 |
| Separate Price # 26 Joint Use -- HHS-CASU-Maint | \$14,921 | \$23,843 | \$11,295 |
| Separate Price # 27 Joint Use -- Child Dev Center | \$152,769 | \$125,939 | \$199,286 |
| Separate Price # 28 Joint Use -- Large Conference | \$57,413 | \$51,994 | \$68,261 |
| Sub-Total for SEPARATE PRICES | \$18,229,091 | \$17,513,804 | \$19,323,648 |
| OPTIONS | | | |
| Option #1 -- PBS Field Office | \$604,726 | \$262,220 | \$310,311 |
| Option # 2 -- Joint Use Café Conference Room | \$448,798 | \$281,375 | \$329,193 |
| Option # 3 -- Joint Use Large Conference Room | \$460,377 | \$321,097 | \$299,497 |
| Option # 4 -- Not Used | \$0 | | |
| Option # 5 -- Joint Use Childcare Entrance | \$51,899 | \$60,190 | \$73,254 |
| Option # 6 -- Not Used | \$0 | | |
| Option # 7 -- Not Used | \$0 | | |
| Option # 8 -- First Floor Signage | \$284,083 | \$275,774 | \$404,252 |
| Option # 9 -- Escalator Back Wall/Cladding | \$1,284,327 | \$878,312 | \$526,228 |
| Option # 10 -- Sloped Ceiling in Annex | \$547,980 | \$167,607 | \$150,521 |
| Option # 11 -- Peter Pepper Recycling Containers | \$182,672 | \$133,312 | \$126,033 |
| Option # 12 -- Dock Toilets | \$97,015 | \$56,274 | \$27,455 |
| Option # 13 -- Underground Cistern | \$590,260 | \$453,581 | \$211,365 |

| | | | |
|---|----------------------|---------------------|----------------------|
| Option # 14 -- Green Roof Improvements | \$781,648 | \$318,237 | \$416,033 |
| Option # 15 -- Not Used | \$0 | | |
| Option # 16 -- Flush Valves/Low Flow fixtures | \$234,330 | \$299,896 | \$251,276 |
| Sub-Total for OPTION PRICES | \$5,568,115 | \$3,507,875 | \$3,125,418 |
| Pre-Purchased Materials | | \$5,000,955 | \$4,552,269 |
| LEED Premium | | \$2,011,969 | |
| Sub-Total Price | \$91,934,749 | \$87,235,402 | \$89,747,730 |
| Bid Package 1 Price | \$12,581,491 | \$12,581,491 | \$12,581,491 |
| TOTAL PRICE | \$104,516,240 | \$99,816,893 | \$102,329,221 |

JULY 6, 2010 DISCUSSIONS AT 100% COMPLETE

JEDunn's June 23 proposal for BP2 at 100% complete was discussed, compared and contrasted with the IGEs during a 1:00 PM CDT conference call on July 6. Participating in the call were the following:

- RLB Scott MacPhearson
- RLB Jason Schultz
- RLB Charlene Mendoza
- HELIX Dale Duncan
- GWHHA Louis Zarr
- GSA Kevin Livingston
- GSA Allen Faught
- GSA Georgann Butler
- GSA Thomas Thomas
- GSA Don Distler

The purpose of the call was to discuss, and resolve and reconcile differences between the IGEs and JEDunn's proposal and if unsuccessful, determine if a subsequent meeting with JEDunn would be beneficial and provide value. Louis Zarr took notes.

During the call, GSA's July 6 Variance Report at 100% Complete was used as a basis to analyze, compare and contrast JEDunn's proposal with the IGEs prepared by RLB and HELIX. All agreed the aggregate differences between proposal and IGEs were minimal and within an acceptable range of one another – but under the likely scrutiny of audit – there were specific items that were worthy of further analysis because deviations with these specific items were out-of-the-ordinary large either with percentage or amount. All agreed differences of less than 15% would be considered competitive, acceptable and not require added analysis. After discussion and because of differences with prices for Options where JEDunn's prices were typically less than prices in the IGEs, all agreed that portion generally be considered noncompetitive, and there to be need to meet with JEDunn. The purpose of this subsequent meeting will be to explore and generally focus on establishing a better understanding of why JEDunn's prices for Options differ from the IGEs.

See attached copy of GWHHA's July 6, 2010 Meeting Notes.

JULY 7, 2010 DISCUSSIONS AT 100% COMPLETE

JEDunn's June 23 proposal for BP2 at 100% complete was discussed during a 1:00 PM CDT conference call on July 6. Participating in the call were the following:

- RLB Scott MacPhearson
- RLB Jason Schultz
- RLB Charlene Mendoza
- HELIX Dale Duncan
- GWhA Louis Zarr
- GSA Kevin Livingston
- GSA Allen Faught
- GSA Georgann Butler
- GSA Thomas Thomas

The purpose of the call was to explore and focus on understanding why JEDunn's prices for Options differed from the IGEs, and to resolve and reconcile. Louis Zarr took notes.

During the call, the RBFB PHASE IV 100% ESTIMATE VARIANCE 6/29/2010 was used within GSA (JEDunn did not have the Variance Report) as a basis to analyze, compare and contrast JEDunn's proposal with the IGEs prepared, and direct the discussion.

See attached copy of GWhA's July 7, 2010 Meeting Notes.

JEDUNN'S JULY 8, 2010 REVISED PROPOSAL

On July 7, Chris Szeliga emailed Kevin Livingston and Georgann Butler with JEDunn's interpretation of the early afternoon call. He explained JEDunn's understanding and intent to maintain present pricing for Option #9 Escalator Walls, and Option #12 Dock Toilets as presented in JEDunn's June 23 Proposal. Chris wrote that any pending adjustments at Dock Toilets would be in the post bid amendment. Chris added that JEDunn would work with HELIX to better understand walls and HVAC / exhaust fans at Separate Price #24 Fitness Center, and as necessary adjust price of proposal.

On July 8, Chris delivered a July 8 annotated version of JEDunn's June 23 proposal that revised and adjusted price as follows:

| JEDunn June 23, 2010 PROPOSAL RBFB Phase IV Bid Package No 2 at 100% Complete JEDunn June 8, 2010 ANNOTATIONS | June 23, 2010 JEDunn | JEDunn July 8, 2010 |
|---|-------------------------|------------------------|
| SHELL WORK <i>Sub-Total for SHELL PRICE</i> | \$63,486,549 | \$62,949,317 |
| SEPARATE PRICES | | |
| Separate Price # 24 Joint Use -- HHS-Fitness Center | \$916,171 | \$929,405 |
| <i>Sub-Total for ALL SEPARATE PRICES</i> | \$19,323,648 | \$19,336,882 |

| | | |
|---|---------------------|---------------------|
| TOTAL PRICE for BASE BID and ALL SEPARATE PRICES | \$82,810.198 | \$82,286,200 |
|---|---------------------|---------------------|

JEDunn's annotated July 8 proposal adjusted BASE BID to reflect previously discussed and necessary corrections, including: 1) abatement that was wrongly entered in the original June 23 proposal as a positive rather than negative amount, and 2) added \$85,000 in an allowance needed for repair and reconstruction of the snow melt system at dock entry.

See attached copy of JEDunn's June 23, 2010 Proposal for P20 with July 8, 2010 Annotations.

ADJUSTED IGE

Based upon July 7 and July 8 discussions, RLB adjusted their IGE and prepared a final July 12, 2010 version to reflect reconciliation.

On July 12, an adjusted IGE or report on negotiations was requested from HELIX. Dale Duncan who prepared the HELIX IGE is on vacation and is not available to prepare a revised, adjusted IGE.

GSA RBFB PHASE IV 100% ESTIMATE VARIANCE 7/13/2010 (FINAL)

Based upon July 7 and July 8 discussions, JEDunn's annotated proposal and RLB adjusted IGE, a final version of the GSA Variance Report at 100% complete was prepared by Kevin Livingston and Allen Faught to compare and contrast both IGEs with JEDunn's proposal.

Pricing detail for JEDunn's annotated proposal and both of the IGEs is summarized from the RBFB PHASE IV 100% ESTIMATE VARIANCE 7/13/2010 (FINAL,) as follows:

| RBFB Phase IV Bid Package No 2 at 100% Complete Prices from 7/6/10 GSA Variance Report | RLB | HELIX | JEDunn |
|---|--------------|--------------|---------------|
| SHELL WORK Sub-Total for SHELL PRICE | \$68,137,543 | \$59,200,799 | \$62,949,317 |
| SEPARATE PRICES | | | |
| Separate Price # 1 TI HHS-CMS | \$2,501,933 | \$2,542,095 | \$2,530,320 |
| Separate Price # 2 TI HHS-ACF | \$857,017 | \$934,151 | \$964,358 |
| Separate Price # 3 TI HHS-OCR | \$345,399 | \$289,909 | \$327,626 |
| Separate Price # 4 TI HHS-HRSA | \$313,036 | \$239,840 | \$319,711 |
| Separate Price # 5 TI HHS-OITO | \$439,041 | \$446,610 | \$498,354 |
| Separate Price # 6 TI HHS-NTEU | \$32,156 | \$29,548 | \$44,218 |
| Separate Price # 7 TI NOAA place holder for FPS | \$2,518,410 | \$2,518,410 | \$2,518,410 |
| Separate Price # 8 TI OPM | \$629,837 | \$558,492 | \$727,970 |
| Separate Price # 9 TI RRB | \$170,379 | \$134,399 | \$182,382 |
| Separate Price # 10 TI USACE | \$2,247,635 | \$2,320,457 | \$2,498,614 |
| Separate Price # 11 TI SSA | \$2,357,231 | \$1,805,264 | \$2,237,539 |
| Separate Price # 12 TI DAPS | \$269,686 | \$197,059 | \$258,388 |
| Separate Price # 13 TI FAS | \$450,934 | \$333,769 | \$447,785 |

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|---|----------------------|---------------------|----------------------|
| Separate Price # 14 TIDHHS | \$17,272 | \$4,252 | \$22,834 |
| Separate Price # 15 PBS-Field Office | \$212,204 | \$159,114 | \$220,458 |
| Separate Price # 16 PBS-Storage | \$15,402 | \$5,886 | \$17,284 |
| Separate Price # 17 Building Use -- Custodial | \$244,371 | \$136,162 | \$154,294 |
| Separate Price # 18 Building Use -- Shop / Storage | \$41,254 | \$90,595 | \$40,375 |
| Separate Price # 19 Joint Use -- Café | \$3,791,061 | \$2,810,070 | \$3,467,194 |
| Separate Price # 20 Joint Use -- Café Conference | \$40,523 | \$44,381 | \$42,368 |
| Separate Price # 21 Joint Use -- Conference/Ante | \$247,882 | \$365,842 | \$235,747 |
| Separate Price # 22 Joint Use -- Recycle | \$25,852 | \$59,527 | \$25,080 |
| Separate Price # 23 Joint Use -- C-Store Storage | \$20,201 | \$12,504 | \$21,115 |
| Separate Price # 24 Joint Use -- HHS-Fitness Center | \$1,145,725 | \$965,579 | \$929,405 |
| Separate Price # 25 Joint Use -- HHS-CASU Office | \$401,662 | \$308,113 | \$326,211 |
| Separate Price # 26 Joint Use -- HHS-CASU-Maint | \$16,047 | \$23,843 | \$11,295 |
| Separate Price # 27 Joint Use -- Child Dev Center | \$170,915 | \$125,939 | \$199,286 |
| Separate Price # 28 Joint Use -- Large Conference | \$67,720 | \$51,994 | \$68,261 |
| Sub-Total for SEPARATE PRICES | \$19,590,785 | \$17,513,804 | \$19,336,882 |
| OPTIONS | | | |
| Option # 1 -- PBS Field Office | \$337,693 | \$262,220 | \$310,311 |
| Option # 2 -- Joint Use Café Conference Room | \$318,473 | \$281,375 | \$329,193 |
| Option # 3 -- Joint Use Large Conference Room | \$326,117 | \$321,097 | \$299,497 |
| Option # 4 -- Not Used | | | |
| Option # 5 -- Joint Use Childcare Entrance | \$82,024 | \$60,190 | \$73,254 |
| Option # 6 -- Not Used | | | |
| Option # 7 -- Not Used | | | |
| Option # 8 -- First Floor Signage | \$422,046 | \$275,774 | \$404,252 |
| Option # 9 -- Escalator Back Wall/Cladding | \$812,159 | \$878,312 | \$526,228 |
| Option # 10 -- Sloped Ceiling in Annex | \$153,825 | \$167,607 | \$150,521 |
| Option # 11 -- Peter Pepper Recycling Containers | \$127,272 | \$133,312 | \$126,033 |
| Option # 12 -- Dock Toilets | \$67,497 | \$56,274 | \$27,455 |
| Option # 13 -- Underground Cistern | \$249,735 | \$453,581 | \$211,365 |
| Option # 14 -- Green Roof Improvements | \$397,728 | \$318,237 | \$416,033 |
| Option # 15 -- Not Used | \$0 | | |
| Option # 16 -- Flush Valves/Low Flow fixtures | \$269,830 | \$299,896 | \$251,276 |
| Sub-Total for OPTION PRICES | \$3,564,399 | \$3,507,875 | \$3,125,418 |
| Pre-Purchased Materials | | \$5,000,955 | \$4,552,269 |
| LEED Premium | | \$2,011,969 | |
| Sub-Total Price | \$91,292,727 | \$87,235,402 | \$89,963,886 |
| Bid Package 1 Price | \$12,581,491 | \$12,581,491 | \$12,581,491 |
| TOTAL PRICE | \$103,874,218 | \$99,816,893 | \$102,545,377 |

See attached copy of the GSA RBFB PHASE IV 100% ESTIMATE VARIANCE 7/13/2010 (FINAL)

GSA ANALYSIS OF THE JULY 7, 2010 DISCUSSIONS AT 100% COMPLETE

Following the July 7 telephone conference, and reconciliation of the 100% cost estimates, there were still four separate prices which exceeded the 15% competitive threshold established prior to the discussion. Separate Price #6 and Separate Price #13 were not competitive with variances of 38% and 32% respectively. The variances were primarily associated with the mechanical, electrical and plumbing (MEP) scope of work. Because of the complexity of the MEP scope of work, and then taking into account the relatively minimal cost difference of \$17,624.00, further reconciliation of those costs was determined not needed. Separate Price #8 and Separate Price #27 although also beyond the 15% were very close, or within 1% and 2% respectively of the 15% threshold, with further evaluation of those prices also determined to not be required, with the prices considered competitive.

Following the July 7 telephone conference, and reconciliation of the 100% cost estimates, there was one Option – Option #9 --which exceeded the 15% competitive threshold. As noted in the July 7 meeting minutes, all discussed the intended and interpreted scope at the back wall of the escalator. All agreed Option #9 was not defined clearly in the 100% drawings and there was confusion in regards to scope included in base bid and scope included in the option. Both RLB and Helix put a larger portion of cost in Option #9 while JEDunn put the greater portion of cost in the base bid. Everyone agreed that the scope of work for Option #9 was fully addressed, and because Option #9 will be exercised with the award of the FFP, no further reconciliation would be needed.

Selection of options to include with the award was discussed. All options remain valid except for Option #14 for Green Roof Improvements. This option removes existing roof deck, and provides and installs new heavier roof deck at areas not included in the present scope, areas that are to the east and west of the vegetative “green roof” that is a part of the base bid. Accepting the option would facilitate future installation of expanded areas of vegetative roofing. Because the project team believes there is little likelihood of added vegetative roofing being installed in the future, Option #14 will not be accepted. Not accepting the option will not hinder the ability to re-roof in the future using other high performance roofing materials and systems.

Options #1 through #13, and Option #16 will be included with the award. Option #14 at \$416,033 for Green Roof Improvements will NOT be included with the award.

RECOMMENDATION AT 100% COMPLETE:

JEDunn’s proposal for PR-20 and the July 8 annotation of that proposal which adjusts and decreases the proposal amount has been reviewed, analyzed, compared and contrasted with the IGEs during multiple discussions that are described above. Based upon comparison between JEDunn’s proposal and the two IGEs, total aggregate amounts with the three differ by less than 3%. Based upon the above analysis, JEDunn’s July 8 2010 annotated proposal of \$82,286,200 for Base and Separate Prices is considered fair and reasonable. Likewise, based upon comparison with the proposal and the IGEs, JEDunn’s July 8, 2010 annotated proposal of \$2,709,385 for Option #1 through Option #13 and Option #16 is considered fair and reasonable.

Acceptance of JEDunn's July 8, 2010 annotated proposal of \$84,995,584 for Base, Separate Prices, and noted Options is recommended.

BY: _____

(b) (6)

Attachments: Modification of Contract PC10 (award of GMP)
Modification of Contract PS19 (conversion of GMP)
Modification of Contract PS22 (conversion of GMP)
JEDunn June 23, 2010 proposal for P20 (conversion of GMP)
GWHHA April 22, 2010 meeting notes
JEDunn July 13, 2010 proposal log
GSA RBFB Phase IV 100% Estimate Variance Report July 6, 2010
GWHHA July 6, 2010 Meeting Notes
GWHHA July 7, 2010 Meeting Notes
JEDunn June 23, 2010 Proposal for P20 with July 8, 2010 Annotations
GSA RBFB Phase IV 100% Estimate Variance Report July 13, 2010 (Final)

(Attachment Footnote – IGEs from RLB and HELIX, and the full proposal from JEDunn with backup data are NOT attached to this memo because of size. All IGEs, Proposals, and supporting detail and documentations are with Kevin Livingston, R6 estimator.

* * * * *

| <input type="button" value="Print"/> <input type="button" value="Close"/> <input type="button" value="Help"/> | | | |
|---|---|--|---|
| Transaction Information | | | |
| Award Type: | Definitive Contract | Prepared Date: | 08/05/2010 13:42:27 |
| Award Status: | Final <i>dx 9/29/10</i> | Prepared User: | 06.THOMAS.SIMMONS.GSA.GOV |
| | | Last Modified Date: | 09/17/2010 14:29:16 |
| | | Last Modified User: | 06.THOMAS.SIMMONS.GSA.GOV |
| Document Information | | | |
| Award ID: | Agency: 4740 | Procurement Identifier: GS06P08GZC0011 | Modification No: PS25 |
| Referenced IDV ID: | | | Trans No: 0 |
| Reason For Modification: | SUPPLEMENTAL AGREEMENT FOR WORK WITHIN SCO | | |
| Solicitation ID: | | | |
| Treasury Account Symbol: | Agency Identifier: 47 | Main Account: 4543 | Sub Account: 001 |
| | Initiative: AMERICAN RECOVERY AND REINVESTMENT ACT | | |
| Dates | | | |
| Date Signed: | 08/09/2010 | | |
| Effective Date: | 08/04/2010 | | |
| Completion Date: | 08/31/2014 | | |
| Est. Ultimate Completion Date: | 08/31/2014 | | |
| Amounts | | | |
| | Action Obligation: | Current: \$0.00 | Total: \$107,885,383.00 |
| | Base And Exercised Options Value: | \$0.00 | \$107,885,383.00 |
| | Base And All Options Value: | \$0.00 | \$107,885,383.00 |
| | Fee Paid for Use of Indefinite Delivery Vehicle: | \$0.00 | |
| Purchaser Information | | | |
| Contracting Office Agency ID: | 4740 | Contracting Office Agency Name: | PUBLIC BUILDINGS SERVICE |
| Contracting Office ID: | GY000 | Contracting Office Name: | GSA/PUBLIC BUILDINGS SERVICE |
| Funding Agency ID: | 4740 | Funding Agency Name: | PUBLIC BUILDINGS SERVICE |
| Funding Office ID: | GY000 | Funding Office Name: | GSA/PUBLIC BUILDINGS SERVICE |
| Foreign Funding: | Not Applicable | Reason For Inter-Agency Contracting: | Select One |
| Contractor Information | | | |
| CCR Exception: | ... <input type="button" value="Remove Exception"/> | | |
| DUNS No: | 008906844 | Street: | 1001 LOCUST |
| Contractor Name From Contract: | J E DUNN CONSTRUCTION COMPANY | Street2: | |
| Vendor Name: | J E DUNN CONSTRUCTION COMPANY | City: | KANSAS CITY |
| DBAN: | | State: | MO Zip: 641062639 |
| | | Country: | UNITED STATES |
| | | Phone: | (816) 474-8600 |
| | | Fax No: | (816) 581-3180 |
| | | Congressional District: | MISSOURI 05 |
| Business Category | | | |
| Organization Type: | CORPORATE NOT TAX | Relationship With Federal Government: | <input checked="" type="checkbox"/> Contracts |
| Number of Employees: | 4000 | | |
| State of Incorporation: | MO | | |
| Country of Incorporation: | USA | | |
| Annual Revenue: | \$2,166,670,080 | | |
| Contract Data | | | |
| Type of Contract: | Firm Fixed Price | | |
| Multiyear Contract: | No | | |
| Major Program: | None | | |
| National Interest Action: | Select One | | |
| Cost Or Pricing Data: | No | | |
| Purchase Card Used As Payment Method: | No | | |
| Undefinitized Action: | No - Service where PBA is not used | | |
| Performance Based Service Acquisition: | | | |
| * FY 2004 and prior; 80% or more specified as performance requirement | | | |

* FY 2005 and later; 50% or more specified as performance requirement

Contingency Humanitarian Peacekeeping Operation:

Select One

Contract Financing:

Select One

Cost Accounting Standards Clause:

Not Applicable exempt from CAS

Consolidated Contract:

No

Number Of Actions:

1

Legislative Mandates

Clinger-Cohen Act:

No

Service Contract Act:

Not Applicable

Walsh-Healey Act:

Not Applicable

Davis Bacon Act:

Yes

Interagency Contracting Authority:

Not Applicable

Other Interagency Contracting Statutory Authority:
(1000 characters)

Principal Place of Performance

Principal Place Of Performance Code (State, Location, Country):

MO

US

Principal Place Of Performance County Name:

JACKSON

Principal Place Of Performance City Name:

KANSAS CITY

Congressional District Place Of Performance:

05

Place Of Performance Zip Code(+4):

64106

- 1003

Product Or Service Information

Product/Service Code:

Z111

Description: MAINT-REP-ALT/OFFICE BLDGS

Principal NAICS Code:

236220

Description: COMMERCIAL AND INSTITUTIONAL BUILDING CON

Bundled Contract:

Not a bundled requirement

System Equipment Code:

Country of Product or Service Origin:

US

UNITED STATES

Place of Manufacture:

Select One

Domestic or Foreign Entity:

Select One

Use Of Recovered Material:

FAR 52.223-4 and FAR 52.223-9 Incl

InfoTech Commercial Item Category:

Select One

Claimant Program Code:

Description:

Sea Transportation:

Select One

GFE/GFP Provided Under This Action:

Transaction does not use GFE/GFP

Use Of EPA Designated Products:

Meets Requirements

Description Of Requirement:
(4000 characters)

RECOVERY: MO12722 Richard Bolling Federal Building, Phase IV Renovation (Project # IMC10450), 601 East 12th Street, Kansas City, MO. Modification PS25 is issued to Firm Fix Price items

Competition Information

Extent Competed For Referenced IDV:

Extent Competed:

Full and Open Competition

Solicitation Procedures:

Negotiated Proposal/Quote

Type Of Set Aside:

No set aside used.

Evaluated Preference:

No Preference used

SBIR/STTR:

Select One

Statutory Exception To Fair Opportunity:

Select One

Other Than Full And Open Competition:

Select One

Local Area Set Aside:

No

FedBizOpps:

Not Applicable

A76 Action:

No

Commercial Item Acquisition Procedures:

Commercial Item Procedures not used

Number Of Offers Received:

1

Small Business Competitiveness Demonstration Program:

☒

Commercial Item Test Program:

No

Preference Programs / Other Data

Contracting Officer's Business Size Selection:

Other than Small Business

Administration

| | | | |
|------------|------------------------|--|------------------|
| Type | Supplemental Agreement | Award Subject to Availability of Funds: | No |
| CO: | Georgann Butler (G56) | Modification Subject to Availability of Funds: | No |
| Status: | Validated | Modification Amount: | \$0.00 |
| Effective: | 08/04/2010 | Mod Obligated Amount: | \$0.00 |
| | | New Award Amount: | \$107,885,383.00 |
| | | New Award Obligated Amount: | \$107,885,383.00 |

Account Summary

| | | | |
|---|-----------|---------------------------|------|
| Number of Codes Assigned to Line Items: | 9 | Number of Default Codes: | 1 |
| Percent Allocated: | 0% | Total Default Percentage: | 100% |
| Total Quantity Allocated: | 17 | | |
| Total Cost Allocated: | \$0.00 | | |
| Base Cost Allocated: | \$0.00 | | |
| Option Cost Allocated: | \$0.00 | | |
| ADN: | PN8F00909 | | |

Line Item Summary

| | | |
|--------------------|-------------------|--------|
| No. Line Items: 17 | Line Item Amount: | \$0.00 |
| | Base Amount: | \$0.00 |
| | Option Amount: | \$0.00 |

Notes

No Notes

Clauses

| | |
|----------------|-------------------------------|
| Document Type: | UCF (Uniform Contract Format) |
|----------------|-------------------------------|

Review and Approval

| | |
|---------|------------------|
| Status: | No route created |
|---------|------------------|

FPDS/DPDS

Actions created after FY2003 are reported and maintained in FPDS-NG.
Check Status

Print

Close

Help

The 'VALIDATE' does not save changes made after the last 'SAVE DRAFT'. Please save all the changes since the last 'SAVE DRAFT'.

1. Mandatory element: "signedDate" is missing for the Award.
2. Mandatory element: "effectiveDate" is missing for the Award.

Transaction Information

Award Type: Definitive Contract Prepared Date: 08/05/2010 13:42:27 Prepared User: 06.THOMAS.SIMMONS.GSA.GOV
 Award Status: Draft Last Modified Date: 08/05/2010 13:52:55 Last Modified User: 06.THOMAS.SIMMONS.GSA.GOV

Document Information

| Agency | Procurement Identifier | Modification No | Trans No |
|----------------|------------------------|-----------------|----------|
| Award ID: 4740 | GS06P08GZC0011 | PS25 | 0 |

Referenced IDV ID:

Reason For Modification: SUPPLEMENTAL AGREEMENT FOR WORK WITHIN SCO

Solicitation ID:

| Agency Identifier | Main Account | Sub Account | Initiative |
|-----------------------------|--------------|-------------|--|
| Treasury Account Symbol: 47 | 4543 | 001 | AMERICAN RECOVERY AND REINVESTMENT ACT |

Dates

Amounts

| Dates | Amounts | Previous | Current | Total |
|---|-----------------------------------|-----------------|---------|-----------------|
| Date Signed: | Action Obligation: | \$89,910,315.00 | \$0.00 | \$89,910,315.00 |
| Effective Date: | Base And Exercised Options Value: | \$89,910,315.00 | \$0.00 | \$89,910,315.00 |
| Completion Date: 08/31/2014 | Base And All Options Value: | \$89,910,315.00 | \$0.00 | \$89,910,315.00 |
| Est. Ultimate Completion Date: 08/31/2014 | | | | |

Fee Paid for Use of Indefinite Delivery Vehicle: \$0.00

Purchaser Information

| | |
|------------------------------------|--|
| Contracting Office Agency ID: 4740 | Contracting Office Agency Name: PUBLIC BUILDINGS SERVICE |
| Contracting Office ID: GY000 | Contracting Office Name: GSA/PUBLIC BUILDINGS SERVICE |
| Funding Agency ID: 4740 | Funding Agency Name: PUBLIC BUILDINGS SERVICE |
| Funding Office ID: GY000 | Funding Office Name: GSA/PUBLIC BUILDINGS SERVICE |
| Foreign Funding: Not Applicable | Reason For Inter-Agency Contracting: Select One |

Contractor Information

CCR Exception:

| | |
|--|-------------------------------------|
| DUNS No: 008906844 | Street: 1001 LOCUST |
| Contractor Name From Contract: J E DUNN CONSTRUCTION COMPANY | Street2: |
| Vendor Name: J E DUNN CONSTRUCTION COMPANY | City: KANSAS CITY |
| DBAN: | State: MO Zip: 641062639 |
| | Country: UNITED STATES |
| | Phone: (816) 474-8600 |
| | Fax No: (816) 581-3180 |
| | Congressional District: MISSOURI 05 |

Business Category

| | |
|--------------------------|-------------------|
| Organization Type | CORPORATE NOT TAX |
| Number of Employees | 4000 |
| State of Incorporation | MO |
| Country of Incorporation | USA |
| Annual Revenue | \$2,166,670,080 |

Relationship With Federal Government

☒ Contracts

Contract Data

Type of Contract:

Firm Fixed Price

Multiyear Contract:

No

Major Program:

| | | | |
|---|--|--|--|
| National Interest Action: | | None | |
| Cost Or Pricing Data: | | Select One | |
| Purchase Card Used As Payment Method: | | No | |
| Undefinitized Action: | | No | |
| Performance Based Service Acquisition: | | No - Service where PBA is not used | |
| * FY 2004 and prior; 80% or more specified as performance requirement | | | |
| * FY 2005 and later; 50% or more specified as performance requirement | | | |
| Contingency Humanitarian Peacekeeping Operation: | | Select One | |
| Contract Financing: | | Select One | |
| Cost Accounting Standards Clause: | | Not Applicable exempt from CAS | |
| Consolidated Contract: | | No | |
| Number Of Actions: | | 1 | |
| Legislative Mandates | | Principal Place of Performance | |
| Clinger-Cohen Act: | | Principal Place Of Performance Code (State, Location, Country): | |
| Service Contract Act: | | MO US | |
| Walsh-Healey Act: | | Principal Place Of Performance County Name: | |
| Davis Bacon Act: | | JACKSON | |
| Interagency Contracting Authority: | | Principal Place Of Performance City Name: | |
| Other Interagency Contracting Statutory Authority: | | KANSAS CITY | |
| (1000 characters) | | Congressional District Place Of Performance: | |
| | | 05 | |
| | | Place Of Performance Zip Code(+4): | |
| | | 64106 - 1003 | |
| Product Or Service Information | | | |
| Product/Service Code: | | Z111 Description: MAINT-REP-ALT/OFFICE BLDGS | |
| Principal NAICS Code: | | 236220 Description: COMMERCIAL AND INSTITUTIONAL BUILDING CON | |
| Bundled Contract: | | Not a bundled requirement | |
| System Equipment Code: | | | |
| Country of Product or Service Origin: | | US UNITED STATES | |
| Place of Manufacture: | | Select One | |
| Domestic or Foreign Entity: | | Select One | |
| Use Of Recovered Material: | | FAR 52.223-4 and FAR 52.223-9 Incl | |
| InfoTech Commercial Item Category: | | Select One | |
| Claimant Program Code: | | Description: | |
| Sea Transportation: | | Select One | |
| GFE/GFP Provided Under This Action: | | Transaction does not use GFE/GFP | |
| Use Of EPA Designated Products: | | Meets Requirements | |
| Description Of Requirement: | | RECOVERY: MO12723 Richard Bolling Federal Building, Phase IV Renovation (Project # IMC10450), 601 East 12th Street, Kansas City, MO. Modification 9925 is issued to Firm Fix Price items | |
| (4000 characters) | | | |
| Competition Information | | | |
| Extent Competed For Referenced IDV: | | | |
| Extent Competed: | | Full and Open Competition | |
| Solicitation Procedures: | | Negotiated Proposal/Quote | |
| Type Of Set Aside: | | No set aside used | |
| Evaluated Preference: | | No Preference used | |
| SBIR/STTR: | | Select One | |
| Statutory Exception To Fair Opportunity: | | Select One | |
| Other Than Full And Open Competition: | | Select One | |
| Local Area Set Aside: | | No | |
| FedBizOpps: | | Not Applicable | |
| A76 Action: | | No | |
| Commercial Item Acquisition Procedures: | | Commercial Item Procedures not used | |
| Number Of Offers Received: | | | |

| | |
|---|--|
| Small Business Competitiveness Demonstration Program: | <input type="text" value="1"/> |
| Commercial Item Test Program: | <input checked="" type="checkbox"/> |
| Preference Programs / Other Data | No |
| Contracting Officer's Business Size Selection: | Other than Small Business |
| Subcontract Plan: | Plan Required - Incentive Not Included |
| Price Evaluation Percent Difference: | 0 % |
| Reason Not Awarded To Small Disadvantaged Business: | Select One |
| Reason Not Awarded To Small Business: | Select One |